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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JODY MOREHOUSE,

No. 2:24-cv-2103 TLN SCR P

11 || Petitioner,

## ORDER

13 || WARDEN,

## Respondent.

16 Petitioner, a state prisoner at California Health Care Facility, has filed three motions for  
17 extensions of time to file a petition for writ of habeas corpus. (ECF Nos. 2, 3, 8.) No application  
18 for writ of habeas corpus or other pleading has been filed. In order to commence an action,  
19 petitioner must file a petition for writ of habeas corpus as required by Rule 3 of the Rules  
20 Governing Section 2254 cases, and petitioner must either pay the required filing fee or file an  
21 application requesting leave to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a).  
22 The court will not issue any orders granting or denying relief until an action has been properly  
23 commenced. Therefore, petitioner's motions will be denied without prejudice. Petitioner will be  
24 provided the opportunity to file a petition and to submit an application requesting leave to  
25 proceed in forma pauperis, or to submit the appropriate filing fee.

26 In accordance with the above, IT IS HEREBY ORDERED as follows:

27       1. Petitioner's motions for extension of time to file a petition for habeas corpus (ECF  
28 Nos. 2, 3, 8) are denied without prejudice.

1           2. Petitioner is granted thirty days from the date of service of this order to file a petition  
2 that complies with the requirements of the Rules Governing Section 2254 Cases, the Federal  
3 Rules of Civil Procedure, and the Local Rules of Practice; the petition must bear the docket  
4 number assigned this case; petitioner must file an original and two copies of the petition.  
5 Petitioner shall also submit, within thirty days from the date of this order, the application to  
6 proceed in forma pauperis on the form provided by the Clerk of Court, or the filing fee in the  
7 amount of \$5.00. Petitioner's failure to comply with this order will result in a recommendation  
8 that this action be dismissed.

9           3. The Clerk of the Court is directed to send petitioner the court's form for filing a  
10 petition for writ of habeas corpus, and the application to proceed in forma pauperis by a prisoner.

11 DATED: September 6, 2024



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13           SEAN C. RIORDAN  
14           UNITED STATES MAGISTRATE JUDGE

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